

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

SHADEY BRON MELVIN,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 1:19-cv-83-ECM
)	
STATE OF ALABAMA, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On July 3, 2019, the Magistrate Judge entered a Recommendation (doc. 33) recommending that the Plaintiff's claims against the State of Alabama be dismissed because the State is absolutely immune from suit. On August 5, 2019, the Plaintiff filed objections to the Recommendation. (Doc. 34). The Court has carefully reviewed the record in this case, the Recommendation of the Magistrate Judge, and the Plaintiff's objections. Upon an independent review of the file in this case and for good cause, it is

ORDERED as follows that:

1. the Recommendation of the Magistrate Judge is ADOPTED;
 2. the Plaintiff's objections be and are hereby OVERRULED;
 3. the Plaintiff's claims against the State of Alabama are DISMISSED in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii) as they fail to state a claim on which relief may be granted;
 4. the State of Alabama is DISMISSED as a defendant in this cause of action;
- and

5. this case, with respect to the Plaintiff's claims against David Sutton, Lee Holley and Josh Salvin, is referred back to Magistrate Judge for appropriate proceedings.

Done this 16th day of September, 2019.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE